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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 23 2006

Applicant: Silver, *et al.* Examiner: Robert M. Kunemund
 Serial No.: 10/039,448 Art Unit: 1722
 Filing Date: November 09, 2001
 Title: Method for Making An Epitaxial Germanium Temperature Sensor

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 Sir:

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 I certify that this correspondence is being transmitted via facsimile to (mail stop if applicable), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, via facsimile no. 571-273-8300

October 23, 2006
 Date


 Signature
 Elizabeth Burke

Typed or Printed Name of person signing certificate

PETITION FOR EXTENSION OF TIME

A five (5) month extension of time, from May 21, 2006 to and including October 23, 2006 (given that October 21 was a Saturday and October 22 a Sunday on which the USPTO was closed on both days) is requested to file a response to the Notice of Appeal filed March 21, 2006, in the above-referenced application. Enclosed herewith is a Credit Card Authorization Form for the small entity extension fee of \$1,080.00.

On October 16, 2006 the United State Patent and Trademark Office mailed a Notice of Abandonment stating that applicants had failed to timely submit a response to the Notice Appeal filed March 23, 2006. It is submitted that the Notice of Abandonment was mailed in error in that a Request for Continued Examination along with a five month extension of time is being filed on October 23, 2006. It is requested that the Notice of Abandonment be rescinded.

Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,
 CHOATE, HALL & STEWART LLP


 Sam Pasternack
 Registration No. 29,576

Date: October 23, 2006

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